



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gregg Motsenbocker

Appl. No: 09/678,619

Filed: October 2, 2000

For: Compositions and Methods for
Releasing Adherent Deposits from
surfaces and Substrates

Examiner: Gentle E. Winter

Group Art Unit: 1746

Date: January 15, 2004

1746 \$
RECEIVED
JAN 27 2004
TC 1700

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as Priority Mail 01805213907331202191 in an envelope addressed to Commissioner of Patents and Trademarks, MS Amendment PO Box 1450, Alexandria, VA 22313 on January 16, 2004

Signed:

Steven W. Webb

Commissioner of Patents and Trademarks

Alexandria, VA 22313

Petition

3. Applicant hereby **Petitions for an Extension of Time** of Three (3) months pursuant to 37 CFR §1.136(a). A check for \$475 is attached for processing fees under 37 CFR §1.17.

Amendment

This is in response to the Office Action dated July 17, 2003.

Applicant hereby cancels Claims 1 through 4 and 8 through 35 of the application and submits New Claims 1 through 3, as provided below. Claims 41, 43-45, 47-49, and 53-58 of the application were previously withdrawn or canceled.

Specification - Applicant substitutes a new paragraph within the specification, replacing lines 12 through 17 on Page 1 with the following:

“Currently available compositions and methods suffer from a limited range of applicability and

effectiveness, in that they remove only certain types of adherent deposits from particular surfaces and substrates.”

Response to Arguments - Applicant is providing with this amendment a declaration concerning the development of the present invention and its innovative features, not expressly stated in the specification. This declaration in combination with the amended claims will show that the present application’s claims are not anticipated by the prior art. The declaration is included by reference.

Claim Rejection - 35 USC §112

Applicant’s amended claims address this rejection.

Claim Rejection - 35 USC §102 and §103

The deletion of the previously submitted claims obviates the examiner’s previous objections.

The claimed combinations of ingredients in the amended claims are specific and produce a combination of desirable features for this cleaner invention. Primarily, the goal of zero volatile organic compounds (VOC) is achieved. A secondary feature that was unanticipated during the search for a zero-VOC formulation also appeared with the claimed specific amounts of ingredients. That feature was the desirable ability to leave no residue behind on the surface or substrate after the application of the cleaner invention. In the inventor’s knowledge (see accompanying declaration), no other cleaner possesses this capability, and also no other cleaner is 100% VOC compliant. No previously available cleaner possesses the stated combinations of ingredients and the accompanying properties.

Examiner’s objections included an observation that the chemical formulation of kerosene included the same light hydrotreated petroleum distillate (LHPD) used as a carrier solvent in this invention, hence any cleaner that used kerosene and the same other ingredients as the present invention anticipated this invention. As argued by the inventor in his declaration, the other unneeded components of kerosene, other than the LHPD component, that are brought along when kerosene is used in a cleaner

produce the undesirable residue that is not seen with the use of the present invention. The present invention eliminates the undesirable features of kerosene to achieve a different and distinct end.

The use of kerosene does not anticipate the use of an LHPD in this formulation the same way that an earthen dam does not anticipate a concrete dam. They both hold back water, but you can build a much bigger, taller dam that holds back more water with concrete. Earth contains the elements of concrete. Kerosene contains LHPD and some of the other ingredients of this formulation, but you cannot make a cleaner that does not leave behind a kerosene residue if you use kerosene as a solvent